IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

MISCELLANEOUS APPEAL NO. 803 OF 2002

APPELANTS :1. Binda Bai, wife of Laxminarayan @ Jogai, aged about 22 years, Caste: Dheemar.

:2. Shyam Lal ,son of Buchu Dheemar, aged about 45 years.

:3. Kejabai,wife of Shyamlal,aged about 40years.

All residents of Dani Tola Ward Dhamtari,Tehsil and District-Dhamtari,(CG).

P.R. No. 2385/02
Presented by Shri A.Tiwari Advocate
dated 26.10.02

V E R S U S

RESPONDENTS :1. Abdul Rehman,son of Chhotey Khan, aged about 50 years,resident of Ratnabandha,Dhamtari,Tehsil and District-Dhamtari,(CG.

:2. Branch Manager, The Oriental Insurance Company Ltd. Kutchehry Chowk Jail Road, Raipur(CG).

MEMORANDUM OF APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT,1988.

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

(B)

MISCELLANEOUS APPEAL NO. 803/2002

Appellants : Binda Bai and others

Versus

Respondents: Abdul Rehman and another.

(Arising out of Claim Case No. 22/2000)

2-12-2006

Shri B.K. Jain, counsel for the appellants.

None for respondent No.1.

Shri Anand Kumar Gupta, Administrative Officer, the Oriental Insurance Company Limited with Smt. Chitra Shrivastava, counsel for respondent No.2.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.2 shall pay Rs.1,20,000/- (Rupees One Lakh Twenty Thousand Only) to the appellants.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellants shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondent No.1 stands dismissed.
6) Out of the above amount, Rs.1,200/- (Rupees One thousand Two Hundred Only) shall be paid to counsel for the appellants directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice V.K. Shrivastava
Member- Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju